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6 IN THE DISTRICT COURT OF GUAM  
7 FOR THE TERRITORY OF GUAM  
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9 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. 97-00074  
10 )  
11 Plaintiff, )  
12 vs. ) **REPORT & RECOMMENDATION**  
13 FRANCIS A. AGUON, ) **CONCERNING VIOLATIONS OF**  
14 Defendant. ) **SUPERVISED RELEASE CONDITIONS**  
 ) **IN A FELONY CASE**

15 On February 5, 2008, the United States Probation Office filed a Petition and supporting  
16 declaration alleging that the Defendant violated his conditions of supervised release. See  
17 Docket No. 77. Additionally, on February 14, 2008, a Supplemental Declaration was filed. See  
18 Docket No. 80. According to the Petition, declaration and Supplemental Declaration, the  
19 Defendant:

- 20 1. used of controlled substances (methamphetamine and marijuana);  
21 2. failed to submit to urinalysis; and  
22 3. failed to obey all rules and regulations associated with the Salvation Army  
23 Lighthouse Recovery Center program.

24 On March 10, 2008, the Defendant appeared with counsel before the Court. The  
25 Defendant knowingly and voluntarily waived his right to an evidentiary hearing and admitted to  
26 the violations alleged in the Petition and Supplemental Declaration. The parties had not reached  
27 a consensus as to an appropriate sanction.

28 Based on the Defendant's admissions, I therefore find probable cause to believe that the

Defendant violated his conditions of supervised release. Accordingly, I hereby recommend that the District Judge revoke the Defendant's term of supervised release and impose sentence accordingly. This matter shall be scheduled for a disposition hearing before the District Judge on Friday, March 21, 2008, at 9:1500 a.m., unless otherwise re-scheduled by the District Judge.

IT IS SO RECOMMENDED.



/s/ Joaquin V.E. Manibusan, Jr.  
U.S. Magistrate Judge  
Dated: Mar 10, 2008

**NOTICE**

**Failure to file written objections to this Report within ten (10) days from the date of its service shall bar an aggrieved party from attacking such Report before the assigned United States District Judge. 28 U.S.C. § 636(b)(1)(B).**